

**ASSEMBLY BILL**

**No. 55**

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**Introduced by Assembly Member Jeffries**

December 4, 2008

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An act to amend Section 10912 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 55, as introduced, Jeffries. Water supply planning.

(1) Existing law requires a city or county that determines a project is subject to the California Environmental Quality Act to identify any public water system that may supply water for the project and to request those public water systems to prepare a specified water supply assessment. If no public water system is identified, the city or county is required to prepare the water supply assessment.

Existing law defines “project” for purposes of the above provisions as, among other things, a proposed residential development of more than 500 dwelling units or a shopping center or business establishment, commercial office building, hotel or motel, industrial, manufacturing, or processing plant, industrial park, or mixed-use project, that is of a specified size, or a project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500 dwelling unit project.

This bill would revise that definition of “project” to provide that specified business, commercial, hotel or motel, industrial, manufacturing, and mixed-use developments are within the scope of that definition only if the projected water demand of the development would be equivalent to, or greater than, the amount of water required by a 500 dwelling unit project, as determined by the public water system.

The bill, by revising the definition of “project,” would impose new duties on local agencies with respect to determining whether a project is subject to the water supply assessment requirements, thereby imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 10912 of the Water Code is amended to  
2 read:

3 10912. For the purposes of this part, the following terms have  
4 the following meanings:

5 (a) “Project” means any of the following:

6 (1) A proposed residential development of more than 500  
7 dwelling units.

8 (2) *Any of the following developments, only if the projected*  
9 *water demand of the development would be equivalent to, or*  
10 *greater than, the amount of water required by a 500 dwelling unit*  
11 *project, as determined by the public water system:*

12 ~~(2)~~

13 (A) A proposed shopping center or business establishment  
14 employing more than 1,000 persons or having more than 500,000  
15 square feet of floor space.

16 ~~(3)~~

17 (B) A proposed commercial office building employing more  
18 than 1,000 persons or having more than 250,000 square feet of  
19 floor space.

20 ~~(4)~~

21 (C) A proposed hotel or motel, or both, having more than 500  
22 rooms.

23 ~~(5)~~

24 (D) A proposed industrial, manufacturing, or processing plant,  
25 or industrial park planned to house more than 1,000 persons,

1 occupying more than 40 acres of land, or having more than 650,000  
2 square feet of floor area.

3 ~~(6)~~

4 (E) A mixed-use project that includes one or more of the projects  
5 specified in this subdivision.

6 ~~(7)~~

7 (3) A project that would demand an amount of water equivalent  
8 to, or greater than, the amount of water required by a 500 dwelling  
9 unit project.

10 (b) If a public water system has fewer than 5,000 service  
11 connections, then “project” means any proposed residential,  
12 business, commercial, hotel or motel, or industrial development  
13 that would account for an increase of 10 percent or more in the  
14 number of the public water system’s existing service connections,  
15 or a mixed-use project that would demand an amount of water  
16 equivalent to, or greater than, the amount of water required by  
17 residential development that would represent an increase of 10  
18 percent or more in the number of the public water system’s existing  
19 service connections.

20 (c) “Public water system” means a system for the provision of  
21 piped water to the public for human consumption that has 3000 or  
22 more service connections. A public water system includes all of  
23 the following:

24 (1) Any collection, treatment, storage, and distribution facility  
25 under control of the operator of the system which is used primarily  
26 in connection with the system.

27 (2) Any collection or pretreatment storage facility not under the  
28 control of the operator that is used primarily in connection with  
29 the system.

30 (3) Any person who treats water on behalf of one or more public  
31 water systems for the purpose of rendering it safe for human  
32 consumption.

33 SEC. 2. No reimbursement is required by this act pursuant to  
34 Section 6 of Article XIII B of the California Constitution because  
35 a local agency or school district has the authority to levy service  
36 charges, fees, or assessments sufficient to pay for the program or  
37 level of service mandated by this act, within the meaning of Section  
38 17556 of the Government Code.

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